

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

SUSANA ALVARADO,

Plaintiff,

v.

CV 10-1237 CG/WPL

CITY OF HOBBS, NEW MEXICO,
a municipal corporation,

Defendant.

ORDER GRANTING MOTION TO FILE

THIS MATTER is before the Court on Plaintiff's *Motion to File Summary Judgment Response One Day out of Time*, (Doc. 31). Plaintiff's response to Defendant's motion for summary judgment was due on June 15, 2011. Plaintiff states that she timely emailed her response to Defendant on June 15, but that she was unable to file her response with the Court until June 16 due to technical problems with the Court's electronic filing system. (*Id.*). Rule 6(b)(1) of the Federal Rules of Civil Procedure permits a court, upon a finding of good cause, to extend the time for a party to respond to a motion. FED. R. CIV. P. 6(b)(1). The Court accepts Plaintiff's explanation regarding her inability to convert and file her electronic response to Defendant's motion.

IT IS THEREFORE ORDERED that Plaintiff's *Motion to File Summary Judgment Response One Day out of Time*, (Doc. 31), is **GRANTED**. The clerks shall file Plaintiff's

response to Defendant's motion for summary judgment.



THE HONORABLE CARMEN E. GARZA
UNITED STATES MAGISTRATE JUDGE